### Part 1 is the Plan

#### Text: The United States Federal Government ought to require employers to pay a living wage to disabled workers, adjusted to the regional cost of living and disability severity.

#### Status quo law allows employers to pay workers with disabilities wages lower than the federal minimum, which is unfair and insufficient- a higher LIVING wage is necessary. Hill 14 is the solvency and our advocate,

Eve L. Hill, worked for the law firm of Brown, Goldstein and Levy, as the director of the Office for Disability Rights for the District of Columbia, as the senior vice president for the Burton Blatt Institute, and now for the United States Department of Justice, “Minimum Wage Guarantees for Disabled Workers—A Report from the Department of Justice,” Braille Monitor, October 2014

On February 12, 2014, President Obama issued Executive Order 13658, establishing a minimum wage for contractors. The executive order generally raises the minimum for certain federal service contractors and subcontractors to $10.10 an hour beginning January 1, 2015. The purpose of the executive order was to increase the morale of employees and in turn increase their productivity and efficiency. And whose pay and morale are most likely to be increased by this? People who are blind and have other disabilities, because their pay is now lower than anyone else's. So what does the executive order mean to people with disabilities? The executive order specifically says that covered federal contractors who have special minimum wage certificates under Section 14(c) of the Fair Labor Standards Act must comply with the executive order. Now, as you all know, Section 14(c) of the Fair Labor Standards Act allows employers to pay wages below the prevailing wage and below the minimum wage to workers with disabilities. Section 14(c) can be used by federal contractor employers and nonfederal contractor employers. Many of the employers who take advantage of Section 14(c) are segregated sheltered workshops, and 20 percent of them are federal contractors who participate in the AbilityOne program, which gives them a contracting preference if their worker population is 75 percent people with disabilities. So, not only are they relatively segregated, but they also get the benefit of paying below minimum wage. And once an AbilityOne employer is approved and its services are placed on the procurement list, that contract is often renewed automatically. The executive order does not change the Fair Labor Standards Act itself, because that would require legislation, so these AbilityOne employers can still pay workers with disabilities a percentage of the prevailing wage, which is usually for service contracts set by the Service Contracts Act and the Department of Labor. They're mostly higher than the federal minimum wage and often already higher than $10.10, but, because of the interplay of 14(c), those contractors have, until now, been able to pay below $10.10 and even below the minimum wage. But under the executive order, employers under new covered-service contracts, including AbilityOne employers, must pay their workers, including workers with disabilities, at least $10.10—$10.10 becomes the floor. About fifty thousand people with disabilities under AbilityOne contracts currently make below the minimum wage. Most of those, however, work on product contracts, which aren't covered by the executive order. So, according to the Office of Management and Budget, the vast majority of people with disabilities working on service contracts already make $10.10 an hour. But, if it applied to current contracts now, the executive order would apply to thousands of people with disabilities who are currently working on AbilityOne service contracts and currently making less than $10.10 an hour, and even less than minimum wage. The executive order applies only to service contracts by executive agencies, not independent agencies, but it strongly encourages independent agencies to comply as well, and it applies only to new contracts. It doesn't apply to contracts being applied outside the US, and it doesn't apply to federal grants. So what's happening now? The executive order requires the Department of Labor to issue regulations by October of this year. On June 17 the Department of Labor published a notice of proposed rulemaking to implement the executive order. Comments from all of you—all of you and the rest of the public—are due by July 17. I can't say much about the rulemaking because it's not my rulemaking and because the process has started, so I'm not allowed to give a lot of information beyond what's in the notice of proposed rulemaking. I understand that Pat Shiu spoke about this from the Department of Labor already. I'm a little afraid that because of that limitation my presentation may be a little boring. So, if I start to get interesting, you'll know I've gone off script. The NPRM would define a new contract covered by the executive order as one that results from a solicitation issued after January 1, 2015, or a contract that is awarded outside the solicitation process on or after January 5, 2015. This includes new contracts and replacements for expiring contracts, and under the NPRM the executive order would not apply to automatic renewals of contracts that were issued before January 2015. What Dr. Maurer really asked me to talk about was how this fit and how this represents an evolution in federal policy. Both Section 14(c) and the AbilityOne program came from statute originally enacted in 1938. How many of us were around in 1938? Well, you may recall that the statutes were well before the enactment of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1990. They were before reasonable accommodations were required of public and private employers. They were before Section 503 of the Rehabilitation Act required affirmative action by federal contractors to hire and retain people with disabilities. They were before the development and widespread implementation of supported employment services and supports. At the time of those statutes, people with disabilities were largely presumed unable to work in integrated competitive employment. At that time people with disabilities were assumed to have access to charity and public benefits sufficient to meet their needs, so why did they need wages? All I clearly disagree with. But much of that has changed. The ADA now prohibits employers from discriminating against applicants on the basis of their disability and requires them to provide reasonable accommodations. Section 503 now requires affirmative action to hire and retain people with disabilities. Supported employment services have been recognized in the Developmental Disability Assistance and Bill of Rights Act of 1984 and are now widely available. People with disabilities have consistently demonstrated that they—we—are capable of working in integrated, competitive employment. People with disabilities are unwilling to rely on charity and public benefits, but insist on making a real living and contributing to their families and communities. So the executive order is recognizing that people with disabilities work hard and that they need and deserve the same living wage as people without disabilities. [Applause] As I often say, we are not leprechauns; we do not have a pot of gold. If you can't live on less than $10.10 an hour, neither can we. People with disabilities, like other employees, will improve their morale, their efficiency, and their productivity when they are paid fairly. The executive order is consistent with and builds on other federal policies that recognize that people with disabilities are capable of competitive integrated employment and are entitled to be free of discrimination, to be accommodated, and to be fairly paid for their work.

#### Subminimum wages in the status quo encourage employers to exploit cheap labor, even though workers with disabilities have been employed at a living wage without harming profitability. Equip for Equality 14

Equip for Equality, nationally recognized, private, not-for-profit organization that promotes self-advocacy and serves as a legal advocate for people with disabilities, and handles individual cases and systems-change litigation to achieve broad-based societal reforms, “Tell Congress It’s Time To End the Subminimum Wage for People with Disabilities,” April 2014.

Under current federal law, employers are able to obtain “special wage certificates” that allow them to pay workers with disabilities less that the federal minimum wage (referred to as subminimum wage). The subminimum wage law gives employers an incentive to exploit the cheap labor provided by workers with disabilities. It also works as a disincentive to employers to prepare people with disabilities for integrated employment in the community that will pay them a competitive wage. It is clear that with the appropriate services, training and tools, workers with disabilities can be as productive as workers without disabilities. Right now, there are employers who pay the federal minimum wage or higher to their employees with disabilities — without affecting their profitability. As a result, even individuals with significant disabilities have been able to successfully obtain employment that pays at least minimum wage if not more. H.R. 831, which creates the Fair Wages for Workers with Disabilities Act of 2013, prohibits any new special wage certificates from being issued and requires existing special wage certificates to be phased out over a three-year period (after one year for private for profit entities; after two years for public or governmental entities; and after three years for non-profit entities).

#### And, Costs of living are comparatively higher for people with disabilities- than for the non disabled—means living wages are uniquely key to meet self-sufficiency standards. Pearce 11

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To illustrate the impact of disability-related costs on economic self-sufficiency, we have used findings from each of these approaches to estimate the costs for different levels or types of disability. Estimates based on Smith et al.’s study use the five types of disability described in that study. Estimates based on Zaidi and Burchardt’s research use the three levels of disability severity as described above (low, medium, and high), for three different household composition/disability combinations. Finally, estimates based on Cullinan et al.’s study (2008)13 used the three levels of disability used in that study, differentiated by severity into three groups: disabled with severe limitations, disabled with some limitations, and disabled with no limitations. To apply these findings to the situation facing persons with disabilities in New Jersey, we start with the Self Sufficiency Standard for a single adult and for two adults in Mercer County. Although not all individuals with disabilities are employed, or receive all of their income from earnings, as stated above we have maintained the assumption from the basic Standard that all income is earned by someone in the household. This makes these numbers comparable, so that we can estimate the costs of disability for individuals in New Jersey, other things being equal, including work status. Because additional costs require earning additional income to cover them, taxes increase as costs rise. As can be seen from Table 1, disability-related needs increase costs at varying rates, depending upon the source, the severity of disability, and household composition.14 As one would expect, costs clearly increase as the severity of disability increases, regardless of the method used to estimate those costs. For those with the highest level of severity (high or severe limitations), the estimates range from 44% to 107% of income in additional disability related costs. For those with medium (medium severity, low-medium, or hampered to some extent), costs range from 23% to 41%. For those with low, the range is from 9% to 14%. For those with “intermittent”, hearing, or vision impairment, which were only estimated by Smith et al, the estimates are 42%, 46% and 47%. When these estimates are applied to the example Mercer County households, the cost of disability is clearly substantial, particularly for those higher on the severity index. Thus, the single, nondisabled person living in Mercer County needs to earn at least $2,394 per month but, if this person has a disability, he or she needs to earn from $2,631 to $5,743 per month, depending on the severity of the disability and the estimate percentage used. Note that the costs for those with more severe disabilities are estimated to be higher in the Smith study, due to the methodology used.

#### Cost of living estimates are also extremely likely to underestimate the true costs of disabilities. Multiple reasons prove the current minimum wage levels are clearly insufficient. Pearce 11

Diana M. Pearce, PhD, DIRECTOR, CENTER FOR WOMEN’S WELFARE, UNIVERSITY OF WASHINGTON SCHOOL OF SOCIAL WORK, MSW and Ph.D. in Sociology and Social Work from the University of Michigan. She has held academic positions at the Universities of Michigan and Illinois, and American University, “DISABILITY AND SELF-SUFFICIENCY, Estimating the Extra Costs of Disability Required to Achieve a Self-Sufficiency Standard of Living,” December 2011, Prepared for Legal Services of New Jersey

High as some of these cost estimates are, they are likely to be substantial underestimations for several reasons: • These estimates are based on studies from the United Kingdom, Ireland, and New Zealand, where there is substantially more public subsidy of some costs, especially health care and, for a substantial number, housing. Thus, some of the additional costs associated with disability, such as special housing or additional health care services, are more likely to be covered for those with disabilities in these countries than in the United States. • The Self-Sufficiency Standard takes into account the cost of obtaining private health insurance. Private coverage, however, is insufficient to meet the needs of many people with disabilities. It generally does not cover personal care attendant costs, and often limits coverage of pre-existing conditions or schedules higher premiums for people with higher actuarial risk. Until recently, if a person with disabilities entered employment, they automatically lost their eligibility for Medicaid and faced a difficult choice of being employed but underinsured or unemployed but insured (through Medicaid). However, as provisions of the Affordable Care Act expand coverage, through expanded Medicaid, health exchanges, and/or employer-provided health care, this may lessen this difficult choice facing persons with disabilities.15 • The methodologies used assume that costs associated with disability are fixed, and do not change with income.16 These estimates do not take account the time costs. In some instances, disabilities may require longer time for daily living activities, such as eating and transportation, which can then decrease the amount of time spent in paid employment. • Costs, such as initial investment in equipment, or adaptation, are included in these estimates to some (but unknown) degree. Some of these investments may be essential to personal mobility and social interaction. Even with these important reservations, it is clear that, for people with disabilities to achieve minimally adequate income and resources, substantially more is required than the basic Self-Sufficiency Standard.

#### Disabled persons have empirically been excluded from the workforce. Even previous attempts at their inclusion have embodied ableist assumptions preventing equal employment opportunities—only living wages solve. UKDHM ‘14

Remploy- Disability and Employment: Reconciling the Irreconcilable? 25 Nov 2014 UK Disability History Month Blogs 2014:Disability and Employment: Reconciling the Irreconcilable? http://ukdhm.org/remploy-disability-and-employment-reconciling-the-irreconcilable/

The Disabled Persons Act of 1944 was perceived as bestowing upon disabled people the right to engage with the labour market and consequently achieve full citizenship. However, the act embodied the division between ‘normal’ and ‘abnormal’ workers.¶ It would seem that ever since, disability has been somewhat irrecoverably associated with unskilled work, and with employment rehabilitation centres that are orientated towards settling disabled people in manual jobs. Historically, policy has concentrated on finding fitting individuals to carry out jobs and compensating employers for taking them on. Protesters against the planned closure of a Remploy site.¶ [Protesters against the planned closure of a Remploy site. Photo: Roger Blackwell on Flickr.]¶ In my own research on literary and cultural representations of disability in contemporary Wales, I looked closely at the prospect of securing alternative employment for disabled miners. As you might imagine, such opportunities were slim, but where they could be found, the productivity of disabled miners was closely monitored. In 1949 a study was commissioned by the government in order to ascertain the efficiency of groups of ex-miners disabled by pneumoconiosis who were then employed in the very few ‘light labour’ industries in South Wales. It was hoped that the findings would encourage more employees to provide work for these afflicted men. J. A. P. Treasure found (PDF) that such a study was difficult to conduct, not least because the efficiency of most types of labour (including coal mining) is measured directly by output. As most of the disabled men in his study were employed in light labour, store keeping and the like, they were seen as only ‘indirectly productive’. Consequently his work revolved around less-obvious measures of ‘efficiency’, including: absence from work, labour turnover, and accident rate. There is of course no necessary correlation between absence and efficiency on the job but the two are probably inversely related.¶ The most fascinating component of Treasure’s study, however, are the comments collated from a questionnaire that he issued to various employers of disabled ex-miners in South Wales, inviting them to comment on any aspect of these employees’ performance. For example, the manager of a factory in Porth employing three disabled miners provided pleasantly surprising feedback:¶ We would like to say most emphatically that these men show, in our opinion, a greater amount of keenness and interest in their work than normal men, and are most satisfactory employees in all respects.¶ So far, so good. However, the employers cited in Treasure’s study are shown to be particularly concerned about notions of ‘lost time’ that are accumulated by their disabled workers. Whereas one factory in Trefforest believed ‘the time lost to be practically nil’, another in Carmarthen reported that ‘the tendency was definitely more’. Overall, the survey showed average late-coming and sickness with no wanton absenteeism. One manager spat venomously that a number of his disabled employees ‘could be more gainfully employed if they could get over the fact that they are permanently ill!’¶ Aside from Treasure’s report, the South Wales Miners’ Library in Swansea has archived many pamphlets from the 40s and 50s about the formalities of employing disabled people, the claiming of ‘disablement’ benefits, and one very curious document published by The British Epilepsy Association in 1953. This pamphlet is much concerned with the impact and social consequences of having an epileptic fit in the workplace, saying: ‘If [a man’s] fits are infrequent or mainly nocturnal, shall he hide his disability when he presents himself for employment in the hope that he will not have a fit while at work? If this should happen, will he get the sack?’ The text goes on to express the need for more employers to be willing to employ epileptics on ‘safe’ jobs and to reserve such work for them, before listing some of the thoroughly condescending tasks that ‘epileptics can usually manage successfully’. For example: ‘French polishing, coach cleaning, store keeping and market gardening.’ Women with epilepsy are said to be capable of working in various types of domestic work ‘in hostels or hospitals.’ We are still only one generation removed from the widespread publication and dissemination of such disability-damning statements. While the ableism, arrogance, and ignorance displayed in some of the above historical sources seems outrageous, it must be noted that even today there are marked divergences of opinion surrounding the employment of disabled people, not least within the disability rights movement itself. Such arguments normally revolve around issues of segregation from or integration with the nondisabled workforce. Nowhere can this opposition be illustrated more clearly than in the recent arguments around the closure of the Remploy factories in Abergavenny, Caerphilly, Cwmbran, Ebbw Vale, Neath Port Talbot, Swansea and Ystradgynlais between 1946 and 2013. When the last site closed, in a switch from ‘sheltered’ workshops to integrated support for people with disabilities in mainstream employment, the decision was polemically interpreted by localised disability groups, seen either as a long overdue progression from paternalist attitudes towards disability and work, or an unforgivable betrayal of people who were unlikely to find work anywhere else. What is clear that in a culture of continuing austerity where as few as 1 in 10 people with a learning disability have any kind of paid employment (a statistic that includes those working as little as one hour per week), and only 1 in 50 earn a ‘living wage’, the fight for employment equality for people with disabilities is nowhere near over. Not only was Anne Borsay one of the first to negotiate the historical and contemporary complexities of this issue in great depth, she was also one of the first to make these findings accessible to a non-specialist readership. For that reason (amongst many others) disability studies scholarship and the movement itself will forever be in her debt.

#### The affirmative is a shift in orientation, which is necessary to combat albeism key to interrogate the dominant assumptions of society. Cherney 11

Cherney, Wayne State University, Department of Communications, Assistant Professor 11 (James L, 2011, Disability Studies Quarterly, “The Rhetoric of Ableism”,Vol 31, No 3, <http://dsq-sds.org/article/view/1665/1606>, accessed 7-4-12)

Recognizing ableism requires a shift in orientation, a perceptual gestalt framed by the filter of the term "ableism" itself. The same texts that broadcast "Ableism!" to those oriented to perceive it are usually read innocently even when viewed from a liberal, humanitarian, or progressive perspective. Ableism is so pervasive that it is difficult to identify until one begins to interrogate the governing assumptions of well-intentioned society. Within the space allowed by these rhetorical premises, ableism appears natural, necessary, and ultimately moral discrimination required for the normal functioning of civilization. Consider a set of stairs. An ableist culture thinks little of stairs, or even sees them as elegant architectural devices—especially those grand marble masterpieces that elevate buildings of state. But disability rights activists see stairs as a discriminatory apparatus—a "no crips allowed" sign that only those aware of ableism can read—that makes their inevitable presence around government buildings a not-so-subtle statement about who belongs in our most important public spaces. But the device has become so accepted in our culture that the idea of stairs as oppressive technology will strike many as ludicrous. Several years ago when I began to study ableism, a professor—unconvinced of the value of the project—questioned my developing arguments by pointing to a set of steps and exclaiming, "Next you'll be telling me that those stairs discriminate!" He was right. The professor's surprise suggests that commonplace cultural assumptions support themselves because the very arguments available against them seem unwarranted and invalid. Interrogating stairs was such an outrageous idea that a simple reductio ad absurdum argument depicted the critique of ableism as a fallacy. As an ingrained part of the interpretive frameworks sanctioned by culture, ableism gets reinforced by the everyday practice of interpreting and making sense of the world. Using this idea of what ableism does at the intersection of rhetoric and ideology, I next develop a way of understanding how it operates. I argue that this way of conceiving ableist thinking as rhetorical practice identifies potential approaches for challenging ableism.

#### Recognition of the disabled body creates ruptures in status quo thinking that challenge societal prejudice. Campbell 09

Campbell, Griffith University, 9 (Fiona Kumari, 2009, “Contours of Ableism: The Production of Disability and Abledness,” page 12-13, Date Accessed: 7/7)

Returning to the matter of definitional clarity around abled(ness), Robert McRuer (2002) is one of the few scholars to journey into ableism’s non-axiomatic life. He argues that ableism (McRuer refers to compulsory abled-bodiedness) emanates from everywhere and nowhere, and can only be deduced by crafty reductionisms. Contra the assertions about the uncontainability of disabled bodies which are (re)contained by the hyper-prescription and enumeration, the abled body mediated through its assumption of compulsion is absent in its presence – it just is – but resists being fully deducible. Drawing on Butler’s work, McRuer (2002) writes, Everyone is virtually disabled, both in the sense that able-bodied norms are ‘intrinsically impossible to embody’ fully and in the sense that able-bodied status is always temporary, disability being the one identity category that all people will embody if they live long enough. What we might call a critical disability position, however, would differ from such a virtually disabled positions [to engagements that have] resisted the demands of compulsory able-bodiedness (pp. 95–96). My argument is that insofar as this conception of disability is assumed within discourses of ableism, the presence of disability upsets the modernist craving for ontological security. The conundrum, disability, is not a mere fear of the unknown, or an apprehensiveness towards that which is foreign or strange. Rather, disability and disabled bodies are effectively positioned in the nether regions of ‘unthought’. For the ongoing stability of ableism, a diffuse network of thought depends upon the capacity of that network to ‘shut away’, to exteriorise, and unthink disability and its resemblance to the essential (ableist) human self. This unthought has been given much consideration through the systematisation and classification of knowledges about pathology, aberration and deviance. That which is thought about (the Abled norm) rather ironically in its delimitation becomes vacuous and elusive. In order for the notion of ableness to exist and to transmogrify into the sovereign subject, the normate individual of liberalism, it must have a constitutive outside – that is, it must participate in a logic of supplementarity. When looking at relations of disability and ableism we can expand on this idea of symbiosis, an ‘unavoidable duality’ by putting forward another metaphor, that of the mirror.

### Part 2 is the impact

#### Ableism operates as master trope illuminating the fundamental tactic of oppression—the naturalization of social inferiority as biological difference. Siebers 09

Siebers, University of Michigan, Professor of Literary and Cultural Criticism, Tobin, “The Aesthetics of Human Disqualification”, Oct 28, 2009, Lecture, Google Books.

Oppression is the systematic victimization of one group by another. It is a form of intergroup violence. That oppression involves “groups,” and not “individuals,” means that it concerns identities, and this means, furthermore, that oppression always focuses on how the body appears, both on how it appears as a public and physical presence and on its specific and various appearances. Oppression is justified most often by the attribution of natural inferiority—what some call “in-built” or “biological” inferiority. Natural inferiority is always somatic, focusing on the mental and physical features of the group, and it figures as disability. The prototype of biological inferiority is disability. The representation of inferiority always comes back to the appearance of the body and the way the body makes other bodies feel. This is why the study of oppression requires an understanding of aesthetics—not only because oppression uses aesthetic judgments for its violence but also because the signposts of how oppression works are visible in the history of art, where aesthetic judgments about the creation and appreciation of bodies are openly discussed. One additional thought must be noted before I treat some analytic examples from the historical record. First, despite my statement that disability now serves as the master trope of human disqualification, it is not a matter of reducing other minority identities to disability identity. Rather, it is a matter of understanding the work done by disability in oppressive systems. In disability oppression, the physical and mental properties of the body are socially constructed as disqualifying defects, but this specific type of social construction happens to be integral at the present moment to the symbolic requirements of oppression in general. In every oppressive system of our day, I want to claim, the oppressed identity is represented in some way as disabled, and although it is hard to understand, the same process obtains when disability is the oppressed identity. “Racism” disqualifies on the basis of race, providing justification for the inferiority of certain skin colors, bloodlines, and physical features. “Sexism” disqualifies on the basis of sex/gender as a direct representation of mental and physical inferiority. “Classism” disqualifies on the basis of family lineage and socioeconomic power as proof of inferior genealogical status. “Ableism” disqualifies on the basis of mental and physical differences, first selecting and then stigmatizing them as disabilities. The oppressive system occults in each case the fact that the disqualified identity is socially constructed, a mere convention, representing signs of incompetence, weakness, or inferiority as undeniable facts of nature. As racism, sexism, and classism fall away slowly as justifications for human inferiority—and the critiques of these prejudices prove powerful examples of how to fight oppression—the prejudice against disability remains in full force, providing seemingly credible reasons for the belief in human inferiority and the oppressive systems built upon it. This usage will continue, I expect, until we reach a historical moment when we know as much about the social construction of disability as we now know about the social construction of race, class, gender, and sexuality. Disability represents at this moment in time the final frontier of justifiable human inferiority.

#### Psycho-emotional violence against disabled people is the worst form– it’s violence against their ontology and denies them existence and personhood. Goodley 11

Goodley, Manchester Metropolitan University Professor of Psychology and Disability, and Runswick-Cole, Manchester Metropolitan University Research Associate, 11 (Dan and Katherine, no full date given, Sociology of Health and Illness, "The violence of disablism," 33:4, p. 607-608, EBSCOhost Health Source Nursing Academic Edition)

Critical disability studies have engaged with the psychological and affective aspects of disablism. In Britain, the work of Thomas (1999, 2007) and Reeve (2002, 2008), has crucially intervened in materialist sociological accounts of disablism by drawing attention to the ‘barriers in here’ experienced by disabled people (Reeve 2008: 1). Against a wide understanding of structural inequalities, psycho-emotional disablism interrogates the experiences between disabled people and disabling society. This interrogation has identified direct and indirect forms of discrimination: Direct forms can be found in discriminatory interactions, acts of invalidation, patronising responses of others and hate crimes such as the destruction of group symbols and hate literature (Sherry 2000, 2010). Recent crime statistics from Britain suggest that 25% of disabled people report being victimised (Roulstone and Balderston 2009). Indirect forms may be due to the side effects of structural disablism or unintended actions, words or deeds. The psycho-emotional refers to the impact of these ingredients of disablism on the ontological security or confidence of disabled people (Thomas 1999). A key psychic reaction to such hostility is internalised oppression: the re-injuring of self through internalising discriminatory values (Marks 1999), lowering self-worth and lessening a sense of intrinsic value (Thomas 2007) (Goodley 2010: 90). Zizek (2008: 60) describes this as ontic violence: a violence against being or existence: ‘there is a direct link between ontological violence and the texture of social violence (of sustaining relations and enforced domination)’ (Zˇizˇek 2008: 61). Interpersonal forms of violence threaten to determine the ‘very being and social existence of the interpreted subject’ (Zˇ izˇ ek 2008: 62).

### Part 3 is Framework

#### Analysis of ableist representations is a critical focal point in addressing structural oppression caused by the hegemonic power structures of globalization. Academia is a uniquely key forum to bring about these issues. Mitchell ‘10

Snyder & Mitchell 10 (Introduction: Ablenationalism and the Geo-Politics of Disability Sharon L. Snyder David T. Mitchell Journal of Literary & Cultural Disability Studies, Volume 4, Number 2, 2010, pp. 113-125)

As a result, Disability Studies in McRuer's point of view should continue to affiliate with scholarship that describes the systemic oppression of others and the deliberate, or simply neglectful, public institutions that continue to murder spirits in the guise of Eleanor Bumpurs. Higher Education provides collective think-tank opportunities where the ideals of equity run hard against forces of inequity. Consequently, much is at stake in academic deliberations as one of only a few remaining cultural spaces where the inevitable crossings of these conflicts can continue to be examined. With respect to the conflation of minority identities discussed at length by Erevelles-Minear and McRuer, Chris Ewart's contribution to this special issue, "Terms of Disappropriation: Disability, Diaspora, and Dionne Brand's What We All Long For," examines the degree to which disability is used as a spur to overcoming narratives for the hybrid identities that characterize diasporic communities. In media and literary narratives of the insufficiencies of multi-ethnic groups, Ewart contends that disability appears as an evaluative marker for judging impoverished populations as a source of their own problems. If exceptional examples of disabled individuals come to the light of media attention, then why, for all intents and purposes, should struggling ethnic communities not be able to succeed in spite of debilitating conditions of existence? Successful, singular examples of compensation for disability, in other words, clandestinely operate as an opportunity to critique the inadequacies of those who fail to thrive amid rampant social inequities. For Ewart, then, disability-based analyses of diasporic representations offer a productive opportunity to assess ways in which the dis-ease of neo-liberal perspectives of race, class, and ethnicity enter through the backdoor. To demonstrate the potential importance of disability to the languages of diaspora, Ewart re-creates a history of debilitating European and American [End Page 122] influences through an examination of our analysis of the Eugenic Atlantic. The international space of the Eugenic Atlantic involved national collaborations based on the exchange of debasing information about people with disabilities as threats to a country's hereditary integrity and, ultimately, racial superiority. In referencing this history, the article comes to its close reading of Dionne Brand's novelization of Vietnamese diasporic histories in Canada. Brand employs disability as an all-purpose metaphor for the failing fortunes of a group of second-generation youths in Toronto. Their efforts to create meaningful alternative identities out of the shards of their parents' pasts—hybrid communal formations that straddle multiple cultures—find their primary expression in metaphors of the evasion of madness and "slipping body parts." In undertaking this characterization method, Brand's tale in effect equates psychiatric disability with an inability to cope with feelings of ethnic displacement. Yet, at the same time, the practice of entertaining an "excessive degree" of identification with disability to narrate diasporic identities also pushes the novel's characters beyond the limits of dominant cultural concepts of belonging and the normative markers that such identifications inevitably entail. For instance, one protagonist interprets limping as an indicator of toughness of body rather than more traditional associations of personal incapacity and immoral psychic dispositions. Suggestively, Ewart ascribes this unevenness of representational impulses with regard to disability as an outgrowth of diasporic literature in transition—the divergent outcomes of a literary discourse in search of new vocabularies of non-normative experience. Brand's novel "stumbles," in other words, into a potentially fruitful contemplation of the ways in which disability might be understood to assist concepts of diaspora in articulating meaningful alternatives to normative beliefs of national belonging, citizenship, and the homogenizing forces of globalization. In closing we gesture to our own contribution in addition to the productive discussions of alternative valuation systems with regard to people with disabilities. In "Disability as Multitude: Re-working Non-productive Labor Power" we employ Hardt and Negri's concept of "multitudes" in order to re-fashion contemporary understandings of people with disabilities and their overriding ouster from guiding concepts of productivity within late Capitalism. Rather than continue necessary lines of thought regarding contemporary social barriers to disability and meaningful employment, we undertake a discussion of disability as an alternative to existing models of consumption. In so doing we seek to recognize disability as a pragmatic category for engaging enactments of nationalism and normative expectations of citizenship. We call this imperative to conform to the demands of competitive labor markets and their attendant [End Page 123] normative expectations of participation Ablenationalism. Ablenationalism involves the implicit assumption that minimum levels of corporeal, intellectual, and sensory capacity, in conjunction with subjective aspects of aesthetic appearance, are required of citizens seeking to access the "full benefits" of citizenship. As such, most people with disabilities are excluded by falling short of this participatory bottom line and, as such, key guiding principles of democracy are left unrealized.

#### The existence of ableism naturalizes and amplifies racism—failure to confront ableism means racism will always continue. Beratan ‘06

Beratan 6, Gregg works at the University Of London Institute Of Education, Institutionalizing Inequity: Ableism, Racism and IDEA 2004, <http://dsq-sds.org/article/view/682/859> \*\*\*IDEA=Individuals with Disabilities Education Act

The conflation of institutional ableism and institutional racism serves to make both stronger than either would be on their own. Society's willingness to accept discrimination against disabled people as the result of individual deficiencies is used to make racism more palatable. As Reid and Knight (in press) point out: To explain overrepresentation of minority students in special education, we first reveal U.S. historical conditions that have made institutionalized racism, classism, and sexism seem natural and just through their conflation with disability, a form of oppression based on ableism. While much of the focus on institutional racism in education has been around the resegregation of public schools through a variety of covert mechanisms, including white flight (Johnson & Shapiro, 2003), testing (Brown et al., 2003; Gillborn & Youdell, 2000), "color-blind" policies (Bonilla-Silva, 2003), and pedagogy (Gillborn, 1990; Sleeter, 2004), the use of ableist segregation of special education allows for a legal, overt, and systematized means of achieving the same end. IDEA does, legally and overtly, everything that the courts attempted to do away with in the Brown decision. The 2004 incarnation of IDEA expands upon the attempts of earlier versions to address disproportionality. Whereas the 1997 version of IDEA stopped at requiring local education agencies (LEAs) to report, review, and, if necessary, revise policies, practices, and procedures aimed at preventing the disproportionate representation of minority students in special education, the 2004 version of IDEA mandates LEAs¶ to reserve the maximum amount of funds under section 613(f) to provide comprehensive coordinated early intervening services to serve children in the local educational agency, particularly children in those groups that were significantly overidentified under paragraph (1) (P.L.108-446; p. 94).¶ This full funding trigger located in section 618 d (B) of IDEA is written in a way to suggest that it is intended to give more funds to LEAs for the purpose of fighting existing disproportionality. Although there is no reason to question this intention, an understanding of both institutional ableism and racism means that intentions are irrelevant and there is a need to focus on outcomes. While it is too soon to determine the outcomes of this clause, there is enough evidence to speculate upon possibilities.¶ Anything that triggers maximum funding for a school or local education agency is an incentive. In this case, rather than discouraging the disproportionate identification of minority students as disabled, the clause serves as a bounty actively encouraging overidentification as a means to higher funding levels. Greene and Forster (2002) found that bounty funding systems in special education led to far greater growth in special education than lump sum funding systems (no incentives):¶ The average special education enrollment rate for states that had lump-sum systems at any time during the study period grew from 11.1% in the 1991—92 school year to 12.4% in the 2000—01 school year, an increase of 1.3 percentage points. In the same period, the average special education enrollment rate for states that maintained bounty systems for the entire study period grew from 10.5% to 12.8%, an increase of 2.3 percentage points"¶ (p. 7).¶ Although Greene and Forster (2002) focused upon the effects of bounty systems on the identification of special education students, there is no reason to suggest that a bounty targeting minority students would have a different outcome.¶ It could be argued that any incentive would be nullified by additional costs related to a student being identified as needing special education services. Greene and Forster (2002) have also answered this claim by pointing out that there is actually a cost benefit tied to increased identification of students.¶ Some services that a school would have provided to a particular child no matter what can be redefined as special education services if the child is placed in special education; these services are not truly special education costs because they would have been provided anyway. For example, if a school provides extra reading help to students who are falling behind in reading, the school must bear that cost itself. But if the same school redefines those students as learning disabled rather than slow readers, state and federal government will help pick up the tab for those services. This is financially advantageous for the school because it brings in new state and federal funding to cover "costs" that the school would have had to pay for anyway. Furthermore, there are many fixed costs associated with special education that do not increase with every new child. For example, if a school hires a full-time special education reading teacher, it will pay the same cost whether that teacher handles three students a day or ten. However, the school will collect a lot more money for teaching ten special education students than it would for teaching three (p. 4).¶ The funding mechanisms in terms of both funding received and cost benefits becomes an institutionalized mechanism of inequity.¶ Is this a form of institutional ableism or institutional racism? It is neither and it is both. In this instance, the two are indistinguishable. Neither offers sufficient explanation on its own. Crenshaw (2003) argues in her analysis of the intersections of race and sex that focusing on either construction as discrete from the other:¶ "...creates a distorted analysis and sexism because the operative conceptions of race and sex become grounded in experiences that actually represent only a subset of a much more complex phenomenon" (Crenshaw, 2003; p. 23). Disability and race are similarly conjoined in IDEA's disproportionality clause. It is ableist in that students' opportunities and experiences are being limited by mechanisms and structures built around constructions of disability, but it is also institutionally racist in the way it targets students by their membership in racial and ethnic minority groups. The racist outcomes could not be achieved without the ableist mechanisms.

**A race critique alone can never address the root cause of systemic oppression–the perm brings in diverse perspectives. Our multi-dimensional criticism is essential to deconstruct whiteness and ableism. Smith ‘04**

Smith 4, Executive Director, Vermont Developmental Disabilities Council, Phil, Whiteness, Normal Theory, and Disability Studies, http://dsq-sds.org/article/view/491/668

This analysis seems critical in understanding the relationship of whiteness studies and disability studies. The normative disciplinary power of whiteness undergirding the rationality of Eurocentric culture and thought segregates not only those defined as not-white from the terrains of equality, equity, and justice, but also those defined as not-Able (body or mind). A project of inclusion that reinvents whiteness by calculating freshly an ideology of diverse reasons, intelligences, and experiences will, of necessity, involve an exploration of the cartography of abled Normality. A broad whiteness studies approach must shake hands with a broad disability studies approach if either whiteness or ability is to be reconceptualized. I propose an intellectual alliance between whiteness studies and disability studies in order to accentuate the underlying invisibility of normative whiteness and able-ness ideologies. These structures are at the core of Western culture, and yet remain unnoticed, un-observed. Without turning our cultural gaze on them – without scrutinizing and inspecting their borders – these ideologies will continue to oppress and obfuscate, exclude and excise, human communities that have been placed not just outside the margins, but off the page. In calling for this kind of intellectual alliance, I do not want to place it in opposition to a creative, articulate, cross-disciplinary collaboration between race studies and disability studies. Besides creating a problematic and difficult binary, I want to acknowledge the importance of the work of anti-racist scholars like Derrick Bell (1987), W.E.B. DuBois (1971), Frantz Fanon (1968), bell hooks (1994), Toni Morrison (1992), and Cornel West (1999) in creating the possibility for and development of a robust whiteness studies. Race studies has functioned in the same way that disability studies has in creating the development of normal theories, as a kind of essential breeding ground for ideas and thought. The work of those within the Black American civil rights movement has done much to make it possible for people with disabilities to end their own segregation and discrimination (Robinson 2002). And the anti-apartheid movement in South Africa enabled some disability activists to begin thinking and arguing about the oppression of people with disabilities (Campbell & Oliver 1996). What implications does this intersection have for both whiteness studies and disability studies? It will be essential for both scholarly fields to see themselves as inherently interdisciplinary. I use the term field, and think of the meadow out behind my old Vermont farmhouse, filled with an amazing diversity of plant, animal, and, as I walk through it on a late summer evening to swim naked in the dark at the pond by its edge, even spiritual, life. To explore that meadow, to understand it in totally new and increasingly holistic ways, I need to be not just a biologist, zoologist, or botanist, but a poet, a farmer, a philosopher, a sociologist. So, too, will those seeking to explore the meadows of whiteness and disability need to stretch far beyond what has traditionally been thought of as the processes of exploration used to outline cultural processes – they will need to use a synergistic tool belt worn by an overtly Renaissance craftsperson. What does it mean for whiteness to recognize disability within its own ranks? An exploration of the way ableism fits in with all the other "isms" will be an important expansion of the work of whiteness studies scholarship. Too often left out of such cultural exploration, an understanding of the impact of disability on whiteness in Western culture will be an area worth exploring. For example, what is the intersection of whiteness and disability in novels like Moby Dick, The Color Purple, or Heart of Darkness, in films like Taxi Driver, or in works by photographers such as Diane Arbus? And what role does race play in the context of the disability rights movement? We know something of how the history of disability rights activism owes something to the civil rights movements of Blacks in this and other countries, but we know only relatively little about how whiteness and racism is played out in concrete terms on the bodies of people with disabilities as they struggle to move from the margins to the center. To borrow again from Kincheloe, "understanding that identities are always in the process of negotiation, critical pedagogy of whiteness does not seek to produce closure on the new white identities it engages" (1999, Paragraph 58). So, too, must an activist pedagogy of normality resist finality, and rather assert that it is always coming to grow toward new abled identity. Whiteness studies, normal theories, and disability studies must continue to stretch their boundaries, to look in new ways, with new tools, at the stories we tell ourselves about the way we live our lives.

### Part 4 Is the State

#### [0:22] Small-scale action can’t “spill up” but kills broader reform, only state actions can create political change. Jensen ’9

Tim Jensen – Co-coordinator of the Ohio State University’s Digital Media Project. He coordinates "Candid Candidacy" and, at the time of this writing, is a PhD student in Philosophy, and is quoting Oliver Marchart is a professor in the Department of Sociology, University of Lucerne – Bridging Micro and Macro :: Setting the Stage – April 6, 2009 – http://candidcandidacy.wordpress.com/2009/04/06/bridging-micro-and-macro-setting-the-stage/

Oliver Marchart asks the same question in his essay, “Bridging the Micro-Macro Gap: Is There Such a Thing as a Post-subcultural Politics?” “What criteria,” he asks, have to be met by micro-practices in order to ‘go macro’? Do we need a new concept of ‘organization’? Can there be a subcultural politics of pure particularism or does it take a dimension of universalism?’¶ Marchart begins by debunking what he sees as a heroism myth that dominates subcultures and those who study them academically. While others have certainly critiqued the narrative of “co-optation,” it’s still necessary to do so, and Marchart does it swiftly and with eloquence. I say that it’s still necessary becasue there are still plenty of folks (punks, activists, liberals) who believe they can “drop-out” of capitalism in many ways and narratives of “selling out” continue to proliferate. In this set-up, a subculture is designated as “authentic” to the degree that it remains unappropriated by the mainstream. The group or set of practices remains heroic in relation to how much it resists commodification and recuperation. Marchart notes that this narrative of the process of subculture’s incorporation into the mainstream construes “subcultures as some sort of substance–noise from the viewpoint of the dominant system, and the precedes any cooptation by the latter” (author’s emphasis 87).¶ This myth is used to show how the “defending of micro-political practices eo ipso” obviates any move to the macro-political, since those micro-practices are always already political, “simply by virture of resisting cooptation” (88). Some theorists laud this indirect, style-driven form of dissent and its oblique challenge to exploitative powers. Not Marchart, for sure. And I have some pretty serious reservations about it, too. Who has time to take direct action when one is busy looking like they’re constantly dissenting? (This also becomes an issue, as we shall see in later posts, when dealing with internet cultures of protest.)¶ Much of postmodernism and cultural studies in particular has done excellent–and needed–work in revealing the political nature of our everday acts. The cultural and the political have been blurred for some time now. But you can see where this may stunt the move to macro action: if we’re always already political, how do we judge a scale of action? I agree with Marchart that, “What is needed today is an analysis of the passage between culture and macro-politics, that is, an analysis of the process of ‘becoming macro’” (90). We’re missing an understanding of the links between everday life and organized, collective action, especially with regard to the communicative process. So we must ask, is an answer to be found in the micro-politics of everyday life or in the marco-political movements of collective will and deep structural and cultural reorganization? Where do we start in attempting to make sense of this line between micro and macro; and what role do information communication technologies play in the communication process of this movement between micro and macro?¶ Marchart lists four preconditions for the passage of micro going macro:¶ 1) A situation of explicit antagonization;¶ 2) The emergence of a collectivity;¶ 3) The function of organization;¶ 4) A movement towards universalization.¶ So, for Marchart, what is necessary is a swing towards the macro, a recognition that as long as resistance to hegemony remains at the level of symbolic rituals of the micro-political, we’re in trouble. Only when these tactics form a collective will they become politicized. Despite using a term like micro-political, Marchart argues there is no politics of the individual; politics is collective. And that is why he argues for theorization to begin at macro-levels.¶

#### [0:22] And, independently, the state isn’t irredeemable – using the state is possible even if it’s ideologically opposed to us. Kapoor ‘08

Kapoor, 2008 (Ilan, Associate Professor at the Faculty of Environmental Studies, York University, “The Postcolonial Politics of Development,” p. 138-139)

There are perhaps several other social movement campaigns that could be cited as examples of a ‘hybridizing strategy’.5 But what emerges as important from the Chipko and NBA campaigns is the way in which they treat laws and policies, institutional practices, and ideological apparatuses as deconstructible. That is, they refuse to take dominant authority at face value, and proceed to reveal its contingencies. Sometimes, they expose what the hegemon is trying to disavow or hide (exclusion of affected communities in project design and implementation, faulty information gathering and dissemination). Sometimes, they problematize dominant or naturalized truths (‘development = unlimited economic growth = capitalism’, ‘big is better’, ‘technology can save the environment’). In either case, by contesting, publicizing, and politicizing accepted or hidden truths, they hybridize power, challenging its smugness and triumphalism, revealing its impurities. They show power to be, literally and figuratively, a bastard. While speaking truth to power, a hybridizing strategy also exploits the instabilities of power. In part, this involves showing up and taking advantage of the equivocations of power — conflicting laws, contradictory policies, unfulfilled promises. A lot has to do here with publicly shaming the hegemon, forcing it to remedy injustices and live up to stated commitments in a more accountable and transparent manner. And, in part, this involves nurturing or manipulating the splits and strains within institutions. Such maneuvering can take the form of cultivating allies, forging alliances, or throwing doubt on prevailing orthodoxy. Note, lastly, the way in which a hybridizing strategy works with the dominant discourse. This reflects the negotiative aspect of Bhabha’s performativity. The strategy may outwit the hegemon, but it does so from the interstices of the hegemony. The master may be paralyzed, but his paralysis is induced using his own poison/medicine. It is for this reason that cultivating allies in the adversarial camp is possible: when you speak their language and appeal to their own ethical horizons, you are building a modicum of common ground. It is for this reason also that the master cannot easily dismiss or crush you. Observing his rules and playing his game makes it difficult for him not to take you seriously or grant you a certain legitimacy. The use of non-violent tactics may be crucial in this regard: state repression is easily justified against violent adversaries, but it is vulnerable to public criticism when used against non-violence. Thus, the fact that Chipko and the NBA deployed civil disobedience — pioneered, it must be pointed out, by the ‘father of the nation’ (i.e. Gandhi) — made it difficult for the state to quash them or deflect their claims.

#### [0:28] Even if the state is irredeemable, use it as a heuristic – role playing as the state is a powerful learning tool. Zanotti ’14,

Zanotti 14 (Dr. Laura Zanotti is an Associate Professor of Political Science at Virginia Tech. Her research and teaching include critical political theory as well as international organizations, UN peacekeeping, democratization and the role of NGOs in post-conflict governance.“Governmentality, Ontology, Methodology: Re-thinking Political Agency in the Global World” – Alternatives: Global, Local, Political – vol 38(4):p. 288-304, obtained via school library being awesome.)

While there are important variations in the way international relations scholars use governmentality theory, for the purpose of my argument I identify two broad trajectories. 2 One body of scholarship uses governmentality as a heuristic tool to explore modalities of local and international government and to assess their effects in the contexts where they are deployed; the other adopts this notion as a descriptive tool to theorize the globally oppressive features of international liberalism. Scholars who use governmentality as a heuristic tool tend to conduct inquiries based upon analyses of practices of government and resistance. These scholars rely on ethnographic inquiries, emphasizes the multifarious ways government works in practice (to include its oppressive trajectories) and the ways uneven interactions of governmental strategies and resistance are contingently enacted. As examples, Didier Bigo, building upon Pierre Bourdieu, has encouraged a research methodology that privileges a relational approach and focuses on practice; 3 William Walters has advocated considering governmentality as a research program rather than as a ‘‘depiction of discrete systems of power;’’ 4 and Michael Merlingen has criticized the downplaying of resistance and the use of ‘‘governmentality’’ as interchangeable with liberalism. 5 Many other scholars have engaged in contextualized analyses of governmental tactics and resistance. Oded Lowenheim has shown how ‘‘responsibilization’’ has become an instrument for governing individual travelers through ‘‘travel warnings’’ as well as for ‘‘developing states’’ through performance indicators; 6 Wendy Larner and William Walters have questioned accounts of globalization as an ontological dimension of the present and advocated less substantialized accounts that focus on studying the discourses, processes and practices through which globalization is made as a space and a political economy; 7 Ronnie D. Lipschutz and James K. Rowe have looked at how localized practices of resistance may engage and transform power relations; 8 and in my own work, I have studied the deployment of disciplinary and governmental tools for reforming governments in peacekeeping operations and how these practices were hijacked and resisted and by their targets. 9 Scholars who use governmentality as a descriptive tool focus instead on one particular trajectory of global liberalism, that is on the convergence of knowledge and scrutiny of life processes (or biopolitics) and violence and theorize global liberalism as an extremely effective formation, a coherent and powerful Leviathan, where biopolitical tools and violence come together to serve dominant classes or states’ political agendas. As I will show, Giorgio Agamben, Michael Hardt and Antonio Negri, and Sergei Prozorov tend to embrace this position. 10 The distinction between governmentality as a heuristic and governmentality as a descriptive tool is central for debating political agency. I argue that, notwithstanding their critique of liberalism, scholars who use governmentality as a descriptive tool rely on the same ontological assumptions as the liberal order they criticize and do move away from Foucault’s focus on historical practices in order to privilege abstract theorizations. By using governmentality as a description of ‘‘liberalism’’ or ‘‘capitalism’’ instead of as a methodology of inquiry on power’s contingent modalities and technologies, these scholars tend to reify a substantialist ontology that ultimately reinforces a liberal conceptualization of subjects and power as standing in a relation of externality and stifles the possibility of reimagining political agency on different grounds. ‘‘Descriptive governmentality’’ constructs a critique of the liberal international order based upon an ontological framework that presupposes that power and subjects are entities possessing qualities that preexist relations. Power is imagined as a ‘‘mighty totality,’’ and subjects as monads endowed with potentia. As a result, the problematique of political agency is portrayed as a quest for the ‘‘liberation’’ of a subject ontologically gifted with a freedom that power inevitably oppresses. In this way, the conceptualization of political agency remains confined within the liberal struggle of ‘‘freedom’’ and ‘‘oppression.’’ Even researchers who adopt a Foucauldian vocabulary end up falling into what Bigo has identified as ‘‘traps’’ of political science and international relations theorizing, specifically essentialization and ahistoricism. 11 I argue here that in order to reimagine political agency an ontological and epistemological turn is necessary, one that relies upon a relational ontology. Relational ontological positions question adopting abstract stable entities, such as ‘‘structures,’’ ‘‘power,’’ or ‘‘subjects,’’ as explanations for what happens. Instead, they explore how these pillar concepts of the Western political thought came to being, what kind of practices they facilitate, consolidate and result from, what ambiguities and aporias they contain, and how they are transformed. 12 Relational ontologies nurture ‘‘modest’’ conceptualizations of political agency and also question the overwhelming stability of ‘‘mighty totalities,’’ such as for instance the international liberal order or the state. In this framework, political action has more to do with playing with the cards that are dealt to us to produce practical effects in specific contexts than with building idealized ‘‘new totalities’’ where perfect conditions might exist. The political ethics that results from non-substantialist ontological positions is one that privileges ‘‘modest’’ engagements and weights political choices with regard to the consequences and distributive effects they may produce in the context where they are made rather than based upon their universal normative aspirations. 13

### Part 5 is the Underview

#### [0:26] Low minimum wages are scapegoats for the root cause of wage inequality—even if they win increased unemployment, that short-term impact is outweighed by the racial pathology that only living wages solve for. Garden ‘13

“So Closely Intertwined”: Labor and¶ Racial Solidarity¶ Charlotte Garden\* & Nancy Leong\*\*¶ THE GEORGE WASHINGTON LAW REVIEW. 2013.

Third, the claim that nonwhite workers should offer their labor at¶ reduced wages acknowledges employer bias and—rather than attempting¶ to rectify that bias—concedes that nonwhite labor is simply¶ less valuable. This argument is deeply troubling: to the extent that the¶ burdens of unemployment fall disproportionately on racial minorities,¶ the cause is structural inequality and entrenched bias. These pathologies¶ are exacerbated by allowing workers to offer their labor at reduced¶ rates. Scapegoating minimum wage laws rather than addressing¶ the deeper problems of racism and inequality thus fails as a matter of¶ social justice. Put another way, even if eliminating minimum wage¶ laws would result in reduced unemployment—a result that we do not¶ concede, given the ongoing and unresolved academic dispute—any¶ gain in employment for people of color in the short term would come with the far more serious long-term consequences of ignoring racial¶ pathology and giving up on the notion of a universal living wage. The¶ minimum wage, then, should serve as a point of unification rather¶ than division among white and nonwhite workers; unions’ support for¶ the minimum wage (or for higher wages for bargaining unit members)¶ does not disqualify them as genuine advocates for workers of color.

#### [0:23] Empirics prove that living wage decreases poverty by 12%- literature review shows consensus for data from the past decade and goes aff. Neumark et al 12

David Neumark, UCI, NBER and IZA, Matthew Thompson, Charles River Associates, and Leslie Koyle, Charles River Associates, “The Effects of Living Wage Laws on Low-Wage Workers and Low-Income Families: What Do We Know Now?” Institute for the Study of Labor, IZA Discussion Paper No. 7114, December 2012

The evidence on wage and employment effects sets the stage for weighing these competing effects in how living wage laws affect poverty. To examine the impact of living wages on poverty, linear probability models are estimated for the full sample of families from the CPS ASEC files covering 1995 through 2001. The dependent variable is a dummy variable equal to one if a family’s income falls below the federal government’s threshold for poverty, and zero otherwise. The evidence yields negative point estimates (implying poverty reductions) for both types of living wage laws, but only the estimated effect of business assistance living wage laws is statistically significant (at the 10% level). For business assistance living wage laws, the estimated coefficient is −0.024, which implies that a one log unit increase in the living wage reduces the poverty rate by 2.4%. Relative to an 18.6% poverty rate, this represents a 12% reduction, or an elasticity of −0.12. This seems like a large effect, given the wage elasticity for low wage workers below 0.1. Living wages cannot lift families from well below the poverty line to well above it. But living wages may help nudge families over the poverty line, and the estimated average wage effects are likely manifested as much larger gains concentrated on a possibly quite small number of workers and families. Thus, even coupled with some employment reductions, living wages can lift a detectable number of families above the poverty line. Comprehensive reviews of the research literature through the initial phase of the passage of living wage laws were provided in Adams and Neumark (2004a and 2004b). These reviews summarize previous evidence, but also provide a review and critique of other research on the impact of living wages. Holzer (2008) reviewed the living wage literature more recently, although this review focuses almost entirely on the same research extending through 2005, as there was little additional research done since. A comprehensive and more up-to-date review of the living wage literature that covers a few recent studies is provided in Charles River Associates (2011), from which the research in this paper was drawn. Holzer’s (2008) review of the Neumark and Adams studies, as well as other studies that tried to estimate the observed impact of living wages based on longitudinal variation, reached conclusions very much parallel those of Neumark and Adams:13 “Living wage laws have both modest benefits and modest costs for low-wage workers. Living wage laws raise the wages of the lowest-wage workers. They may also result in … modest reductions in poverty. However, they lead to modest reductions in employment for the lowest wage workers … Living wage laws can be useful but meaningful increases in the earnings of low wage workers and reductions in poverty require more powerful public policies (pp. 2-3, italics added).”

#### [0:17] And, material equality determines our view of individuals – comes before claims about history and epistemology. Okereke ’07,

**Chukwumerije Okereke, Senior Research Associate at the Tyndall Centre for Climate Change Research at the University of East Anglia, "Global Justice and Neoliberal Environmental Governance", Routledge, 2007**

Notwithstanding these drawbacks, these scholars provide very compelling arguments against mainstream conceptions of justice. In this approach, the obli- gation of justice is derived from the moral equality of human beings irrespective of their race, creed and nationality (O'Neill 1991; Brown 1992: 169; Beitz 1979; Sen 1999). The emphasis is on the positive rights of citizens - that is the kinds of rights that require state authorities to do something in order to provide citizens with the opportunities and abilities to act to fulfil their own potential - as opposed to negative rights/liberty, which refers to freedom from coercion and non-interfer- ence. The notion of justice as meeting needs, as seen in Chapter 2, figures very prominently in quite a number of the influencing materials that form the starting point for the discourse on global sustainable development. It has been suggested, in general, that this idea of justice is 'increasingly influential on non-governmen- tal organizations and the community of international policy makers' (Brighouse 2004: 67). In general, proponents of justice as need criticize liberal ideas of justice for concentrating on political equality (equal right to speech, vote, etc.) without addressing the problem of material equality - especially in the form of equal access to resources. They also claim that the ability to own property as well as the ability to exercise political rights (say the right to vote) depends first and foremost on the ability of citizens to function effectively. When the basic human needs of citizens, for example food, are not being met, other rights become merely 'hypothetical and empty' (Sen 1999: 75). Following on from this basic reasoning, the rights approach to justice is rejected and, in its place, human basic need is seen as the correct basis of political morality and the right benchmark for the determination of political judgment (Plant 1991: 185). In previous sections we saw that libertarian notions of justice sanction unlimited material inequality between citizens, provided that each person has obtained their possessions through legitimate means. All that matters is that the state should ensure fair rules of transitions and equality before the law. We saw also that liberal accounts of justice, especially Rawls' liberal egalitarianism, reject this formula- tion of justice because it does not secure the welfare of the less able in society. On the contrary, Rawls recommends that political institutions should be structured in ways that protect the interests of the least advantaged individuals in society. Accordingly, he sanctions societal inequities provided that such inequities work to the advantage of the least well-off. On closer reading, however, it turns out that Rawls difference principle (that inequities should work in favour of the least well- off) does not contain any explicit demand relating to the basic needs of the poor. As such, it is possible for Rawls' proviso to be met even when the least well-off in the society are denied their basic needs. For example, a distribution that changes from 20:10:2 to 100:30:4 satisfies Rawls difference principle but tells us noth- ing about the actual well-being of the least well-off. So, whereas some (mainly libertarians) criticize Rawls for not specifying the extent to which other people's liberty can be sacrificed for the sake of the least well-off, others (proponents of justice as meeting need) criticize Rawls for leaving the fate of the least well-off unprotected. Many scholars in the latter group sometimes argue along Marxian lines that as long as the means of production remain in the hands of the 'haves' there is no guarantee that inequities will benefit the least well-off. Maslow (1968), Bradshaw (1972) and Forder (1974) have all consequently argued that only the theory of need provides, as Maslow (1968: 4) puts it, 'the ultimate appeal for the determination of the good, bad, right and wrong' in a po- litical community. Without the theory of need, they say, it would be impossible to justify the welfare state in capitalist Western democracies. On the other hand, the co-existence of welfare and capitalism confirms the place of need as the criterion of moral political judgment. O'Neill (1991), Sen (1999) and Nussbaum (2000) have all extended versions of this argument to the international domain. O'Neill (1980, 1991) argues that adherence to the Kantian categorical imperative entails that the global community must act to remove the aching poverty and famine that threaten the existence of millions of people in developing countries. Sen (1999), for his part, calls for the strengthening of international institutions to make them able to assist the least well in the global society to achieve the measure of actual living that is required for the basic function and well-being of citizens. For Sen, as for O'Neill, all forms of liberty and rights are meaningful only when people have the substantive 'freedom to achieve actual living' (Sen 1999: 73; cf. O'Neill 1989: 288; 1986). Thomas Pogge also places emphasis on human basic need and starts his well-known book World Poverty and Human Rights with the rhetorical ques- tion: 'How can severe poverty of half of humankind continue despite enormous economic and technological progress and despite the enlightened moral norms and values of our heavily dominant Western civilization?' (Pogge 2002: 3). Many environmentalists believe that this is the conception of justice most con- sistent with the Bnmdtland version of sustainable development (Dobson 1998; Benton 1999: 201; Langhelle 2000: 299). This assertion is not difficult to sustain because the Bnmdtland Report contains several explicit arguments that firmly link the concept of sustainability with meeting the needs of the global population. It says, for example: The satisfaction of human needs and aspirations is the major objective of sustainable development. The essential needs of vast numbers in the develop- ing countries - for food, clothing, shelter, jobs - are not being met, and be- yond their basic needs, these people have legitimate aspirations for improved quality of life .... Sustainable development requires meeting basic needs of all and extending to all the opportunity to satisfy their aspirations for a better life. (WCED 1987: 43).

#### [0:25] And, even ideologically, living wages create a value reorientation for the minority worker—treating them as persons not commodities. The living wage movement has transformed from a policy designed to exclude. Curry ‘14

Tommy Curry. The Cost of a Thing (Dr. Tommy J.¶ Curry)¶ A Kingian Reformulation of a Living Wage Argument in the 21st Century

The living wage is the actualization of a revolution of values rooted in the transubstantiation¶ of humans into that which is not thing but person. King is clear that “We¶ must rapidly begin the shift from a “thing”-oriented society to a “person”-oriented¶ society. When machines and computers, profit motives and property rights are considered¶ more important than people, the giant triplets of racism, materialism and militarism¶ are incapable of being conquered.”24 King advances an entity based reorientation that¶ demands the social structures of our society to change. King does not propose to simply¶ introduce a new value, but argues that our thingification of racialized beings, the history¶ of colonialism itself, has produced a paradigm that takes our system to be natural and¶ inevitable. This is not the problem simply of thought, but a symptom of how we act¶ and engage thought. We believe that there should be divisions of labor, we believe some¶ people are simply labor, we believe, conditioned by the history of Black dehumanization,¶ that individuals are things and not persons; it is these beliefs that blind us from acting¶ concretely against poverty and transforming working-things into humans. The living¶ wage is King’s actualization of a political philosophy capable of reorienting objects simply¶ thought to be necessary to economic production into living human flesh. The living wage¶ demands the worker to be a person—a living being capable of development, life and¶ joy—which once accepted makes the material conditions which deny this reality appear¶ decadent and illusory. The living wage is the concretization of a political action (an act¶ of X) which generates new value orientations to actualize their material demands. By¶ giving workers the income to exist beyond the modalities of our American society, these¶ persons have the capacity assert their dissent and realize their aspirations denied to them¶ by poverty, racism, and power.

## 1AR

### Cede the Political

#### Solutions to critical issues must be discussed through pragmatic approaches within hegemonic power structures. Kapoor ‘08

Kapoor, 2008 (Ilan, Associate Professor at the Faculty of Environmental Studies, York University, “The Postcolonial Politics of Development,” p. 138-139)

There are perhaps several other social movement campaigns that could be cited as examples of a ‘hybridizing strategy’.5 But what emerges as important from the Chipko and NBA campaigns is the way in which they treat laws and policies, institutional practices, and ideological apparatuses as deconstructible. That is, they refuse to take dominant authority at face value, and proceed to reveal its contingencies. Sometimes, they expose what the hegemon is trying to disavow or hide (exclusion of affected communities in project design and implementation, faulty information gathering and dissemination). Sometimes, they problematize dominant or naturalized truths (‘development = unlimited economic growth = capitalism’, ‘big is better’, ‘technology can save the environment’). In either case, by contesting, publicizing, and politicizing accepted or hidden truths, they hybridize power, challenging its smugness and triumphalism, revealing its impurities. They show power to be, literally and figuratively, a bastard. While speaking truth to power, a hybridizing strategy also exploits the instabilities of power. In part, this involves showing up and taking advantage of the equivocations of power — conflicting laws, contradictory policies, unfulfilled promises. A lot has to do here with publicly shaming the hegemon, forcing it to remedy injustices and live up to stated commitments in a more accountable and transparent manner. And, in part, this involves nurturing or manipulating the splits and strains within institutions. Such maneuvering can take the form of cultivating allies, forging alliances, or throwing doubt on prevailing orthodoxy. Note, lastly, the way in which a hybridizing strategy works with the dominant discourse. This reflects the negotiative aspect of Bhabha’s performativity. The strategy may outwit the hegemon, but it does so from the interstices of the hegemony. The master may be paralyzed, but his paralysis is induced using his own poison/medicine. It is for this reason that cultivating allies in the adversarial camp is possible: when you speak their language and appeal to their own ethical horizons, you are building a modicum of common ground. It is for this reason also that the master cannot easily dismiss or crush you. Observing his rules and playing his game makes it difficult for him not to take you seriously or grant you a certain legitimacy. The use of non-violent tactics may be crucial in this regard: state repression is easily justified against violent adversaries, but it is vulnerable to public criticism when used against non-violence. Thus, the fact that Chipko and the NBA deployed civil disobedience — pioneered, it must be pointed out, by the ‘father of the nation’ (i.e. Gandhi) — made it difficult for the state to quash them or deflect their claims.

#### Only focusing on practical politics can produce empowerment for the disabled while disrupting oppressive norms. Dewsbury et al 04

Guy Dewsbury, Lancaster Univ, Karen Clarke, Lancaster Univ, Dave Randalll, Manchester Metropolitan Univ, Mark Rouncefield Lancaster, Ian Sommerville, Lancaster, The anti-social model of disability, Disability & Society, 19.2 March 2004

We do not share all **these concerns** as they **apply to the social model of disability**, for we are not menaced by constructionism, nor do we wish to promote one variety of truth claim over another. We are concerned specifically with how this helps. The constructionist focus, we feel, has altered our perspective on expertise such that **where we had previously unquestioningly accepted the professional expertise of medical practitioners, we now equally unquestioningly accept the expertise of the sociologist who wishes to undermine it.** **The social constructionist**, that is, **provides professional explanation by revealing the hidden nature of the social world in and through a number of typical steps.** These include: 1. **Showing that definitions** of a given concept **are shifting**, especially historically. Many social constructionist studies draw attention to the ways in which explanations that were accepted as matters of fact were embedded in the ideologies or discourses of the time and can now be clearly seen as absurd or wrong. 2. **Deriving from this that ‘things could be otherwise’** insofar as new and ‘constructionist’ models can be used contrastively with models that have preceded them, including models that still have a currency. 3. **Arguing that in some way this challenges the ‘social reality’** of the concept in question. 4. **Suggesting that this challenge to the social reality of any given social fact has important political consequences** and that the social constructionist is pivotal in the realization of these consequences. We think **there may be problems here**, mainly with steps 3 and 4. As Hacking (1999) has convincingly shown the validity and importance of challenges to social reality depend very much on what kind of challenge they are. Equally, we will suggest that **the apparent political importance of the constructionist position is largely rhetorical**. This is not to understate its importance, for rhetoric is a powerful force, but **it does not assist us with our ‘what to do next’ problem**. In explicating the various ways in which disability is a social construct the Social Model highlights the social features of what, on first consideration, might appear as a purely physical problem. As Humphrey argues: ‘… the social model harbours a number of virtues in redefining disability in terms of a disabling environment, repositioning disabled people as citizens with rights, and reconfiguring the responsibilities for creating, sustaining and overcoming disablism’ (Humphrey, 2000, p. 63). Again, there are self-evident, political, advantages in adopting this position. As Hacking suggests, ‘it **can still be liberating suddenly to realize that something is constructed and is not part of the nature of things**, of people, or human society’ (Hacking, 1999, p. 35). **However, the metaphor has grown tired, if not tiresome, and in the matter of what we call ‘practical politics’**, **that is the quite ordinary business of making-do, managing, coping** (and obviously everyone ‘makes do’, not just disabled people) **that might inform the design-related questions we want to ask, it is for the most part empty.** In order to pursue this theme, **we need to examine the sense in which the ‘social model’ can be seen as ‘radical’**, **for as with so many similar avowals there is less to this than meets the eye**. **Despite the supposedly ‘radical’ nature and claims of the social model of disability it clearly engages in the ordinary business of sociology** and, as Button (1991) suggests, **any radical claims are readily absorbed into everyday sociological debate.** **That is, radical political commitments are not radical sociologies**—**they are,** from within a sociological perspective**, unremarkable**. Radical causes are the very stuff of conventional sociology, conducted along conventional lines. Even, for example, **the argument that some current sociological approaches propagate a ‘disablist’ view of society that legitimates the treatment of disabled people, whilst simultaneously obscuring their real position within society is but a pale imitation of earlier, similar, Feminist and Marxist arguments. The application of the idea may be new but the idea itself, and the argument presented, is not.**

#### Rejection of policymaking dooms action - disrupting the inequitable social constructions of people with disabilities is insufficient and leaves the disabled people excluded.

### 1AR Cap K

#### On the link,

#### 1. Living wage movements are key to challenging capitalism- they create coalitions that allow the working class to challenge the capitalist hegemony. Luce 04

Stephanie Luce, Assistant Professor and Research Director at the Labor Center at the University of Massachusetts-Amherst, “Fighting for a Living Wage,” Cornell University Press, 2004

The lessons of living wage implementation also have broader implications for democratic governance. Although participation of civil society does not guarantee expansive enforcement, in the case of the ordinances studied here, involvement of nongovernmental organizations greatly increased the likelihood of successful implementation. This ﬁnding gives credence to those who argue that traditional forms of governance are inadequate, and that civil society can enhance the capacity of the state under the right conditions. What is of note here is that citizens can in fact play a signiﬁcant role in the monitoring and implementation of policy, even where governments oppose or are reluctant to enforce the laws in question. The conclusions suggest that not only should governments find ways to incorporate civil society into policy implementation but that citizens may have to demand a role for themselves. Furthermore, the inclusion of civil society in policy formation and implementation is not simply a technical matter. It can be politically contentious. Implementation is an extension of the political struggle that occurs when governing bodies initially considers legislation, so there is no reason to expect that conditions will necessarily change. But as with the policy campaign, conﬂict can push supporters to deepen their political alliances and power. These ﬁndings argue against the claim that governments are becoming impotent in the age of globalization. With the living wage movement, local governments across the United States have managed to pass, and in some cases enforce, policies that run counter to the prevailing economic paradigm. In particular, municipal legislators across the country have passed living wage ordinances despite the fact that opponents argue that they are harmful to local business climates. Rather than being constrained to mainstream economic development policies, city and county leaders have passed dozens of progressive ordinances and have not seen the dire predictions of detractors come to fruition. Although I have argued here that community involvement both internally and externally can improve policy implementation, I must also note the limitations of this strategy. In fact, broad systematic enforcement of progressive policies is not likely to happen unless there is a widespread transformation of the normative foundations of governance. As long as a pro worker policy is at odds with mainstream values, implementation struggles will pull activists in multiple directions. There are not enough resources or time for vigilance on every front. As Bruce Nissen points out in Fighting for jobs, workers ﬁghting plant closings have had little success persuading their local governments to play an activist role in protecting jobs on their behalf because doing so would violate “deeply embedded ideological beliefs that identiﬁed ‘community welfare’ with private corporate supremacy in all major economic decision making.“ A number of scholars have pointed to the need for labor-community coalitions—and larger political movements—that will confront this hegemonic power of neoliberal governance. For example, Nelson Lichtenstein makes a strong case for the power of ideology in shaping our legal and political environment. It was the persistence of the "labor question" that set the stage for the fight over industrial democracy and industrial citizenship in the 1930s and 1940s.’ The power of the labor movement as a social movement, based on real numbers but also on normative claims for universal rights, helped to enforce the laws that were passed in that period. Another illustration of this issue comes from historian Eric Pure- Slocum, who shows how Milwaukee's socialist legacy and strong labor movement allowed a serious working-class challenge to capitalist economic growth policies in the 1940s. Amidst intense debate about the future of the city, working-class organizations were able to put forth their own principles for development, which entailed: An insistence that the critical decisions a city faced were political issues and not matters of technical engineering or administration; a demand that political and social access take priority over designs to achieve greater political efficiency or increased productivity in the use of urban space; a requirement that cities retain their ﬁscal autonomy, particularly to respond to the needs of workers in times of economic hardship; and an image of a city deﬁned and interpreted by class.’

#### 2. Living wage movements challenge free-market ideology- they open up spaces for deliberation to question assumptions of capitalism. Anton and Schmitt 07

Anatole Anton and Richard Schmitt, Anatole Anton is professor of philosophy at San Francisco State University and former chair of the department. Richard Schmitt is professor emeritus of philosophy at Brown University and is currently teaching at Worcester State College, “Towards a New Socialism,” Lexington Books, 2007

Forced to confront these arguments, living wage advocates must begin to question their own assumptions about the power of markets. Is it true that we cannot intervene in markets for any reason? Can it be that we are all governed by the “invisible hand" and economic laws that we have no control over? It is here that the potential for this movement to build support for socialist politics is greatest. Although many feel in their gut that this market logic isn't right, most people in the U.S. have been so thoroughly educated in a capitalist mindset that it takes some work to develop a critique. Jaime Huerta, an organizer with the Pima County Interfaith Council in Tucson, said that their campaign is always looking for good resources to help them “challenge the ‘market is god‘ ideology" that is so pervasive among opponents and potential supporters. '° In other cities, living wage advocates argue that markets are not only about economics, but about politics and morality. In their assessment of the Baltimore campaign, organizers Arnie Graf and Jonathan Lange challenged the idea that it is only supply and demand that determine wages." “Declining union power can explain low wages as easily as supply and demand,” they wrote. They add that after Baltimore passed its ordinance, no disastrous effects could be seen. “The market adjusted to political power.” Living wage activists must challenge the fact that "unfettered markets” even exist at all. Conservatives argue that in an ideal capitalist society, the “invisible hand" and the laws of supply and demand can most rationally and fairly distribute goods and services. They say that if people are only allowed to negotiate for themselves, without government or union intervention, buyers and sellers will ﬁnd the prices that are satisfactory to both parties. There are a few problems with this approach. First, the theory that these conservatives are relying on-neoclassical economics—makes a lot of assumptions that don't hold true in reality. For example, neoclassical economics assumes that in perfectly competitive markets, all parties have equal access to in- formation. Buyers know what prices all sellers are selling at, workers know what wages their co-workers earn, and consumers know the quality of the product they are buying. But in reality, access to information is distributed unequally, depending on differences in power and resources. Without these assumptions, market “efficiency” no longer holds, even in theory. Another assumption is that all people in a market society act “rationally,” based on their economic self- interest. While its true that people often consider their own economic interest, we have endless evidence that they will also act out of love, compassion, generosity, insecurity, anger, and even contusion. Therefore, assuming rational thought is the sole and primary determinant of human behavior will distort one’s understanding of the world. The second problem with the appeals to the free market is that there is really no such thing as “free market”—all economies have regulations and intervention of some kind. Even under capitalism, governments are needed to regulate the economy and correct for market failures, such as large ﬂuctuations in the economy, lack of public infrastructure like roads and airports, and discrimination. The problem is that in a capitalist society, governments are usually run by those who have more money and power, and therefore, they are the ones who set those rules and regulations that govern the market. It is a political battle that determines who gets to set themselves. The right-wing has succeeded in equating “free market" with markets where elites set the elite. As socialists, we are not for the elimination of rules—we just want them to be set in a transparent fashion by governments that are elected (truly) democratically, and held accountable to those that elect them. We also want those rules to acknowledge that markets should work for people ﬁrst, not proﬁt. Through living wage campaigns, socialists can highlight the underlying market-based ideologies that are so thoroughly accepted by most people. Opponents’ arguments open a space for living wage advocates to talk about the economy and decision-making, and to assert that there are alternatives.

#### 3. The living wage is the single best solution to capitalism – alternate solutions depend on economic self-reliance that a) re-entrench ableism by constructing the able-bodied individual as the only one that can support themselves and b) sustain oppressive structures by privileging the already existing capitalist elite. Karjanen ‘10

Opposition to the Living Wage: Discourse, Rhetoric, and American Exceptionalism David Karjanen, University of Minnesota. Volume XXXI, Number 1 & 2010 by the American Anthropological Association.

The first line of criticism argues that the broader public good and the region or city the ordinance is passed in will be harmed by the ‘‘anti-business’’ and ‘‘anti-competitiveness’’ message that living wage ordinances send. This argument has been made forcefully by chambers of commerce, industry associations, and even hired economists or think tanks that testify and provide reports for opponents of living wage campaigns. Business owners speak often in catastrophic terms that living wage ordinances will force firms to close, move outside the city, or that firms will not move into the city because of such a restrictive and anti-business environment. In the case of the city of Santa Fe, Mayor David Coss describes being told by the business community that the ‘‘sky was going to fall’’ (Caplan 2006). As a Santa Fe city staffer describes it, ‘‘We were being told by hired guns, experts for the chamber of commerce, that this was going to be cataclysmic for the business community . . . the equivalent of going nuclear and destroying some of the best employers in the city.’’ Similarly, in the city of London, an industry spokesman for cleaning and sanitation companies decried that the policy would ‘‘cause a flight of business fromthe city as labor and other costs are already far too high.’’ In this line of argument, business is seen as fleeing due to the ‘‘cataclysmic’’ and catastrophic consequences of passing such an ordinance. The metaphors of disaster are often present, implying that this is a ‘‘man-made tragedy’’ and, as a spokesperson for the British Hospitality Association put it, ‘‘precisely the type of government bureaucratic meddling’’ which causes ‘‘more harm than good in damaging the climate for commerce.’’ These types of narratives are steeped in a metaphoric deployment of living wages as a natural disaster; something anathema to the ‘‘normal’’ and ‘‘natural’’ functioning of a free market economy and labor markets where the laws of supply and demand should set wages. The second discourse, which is shaped by rhetorical and cultural understandings of the economy, has roots in an empirical body of economic research. In this line of critique, living wage ordinances are simply not an efficient means to address the problem of the working poor. Opponents often argue that reducing payroll taxes, or increasing the Earned Income Tax Credit (EITC) – thereby allowing workers to take home more earned income – is a more direct and efficient way of helping the working poor. Again, the philosophical underpinnings of this perspective draw on the neoliberal model that individuals need to be ‘‘incentivized’’ and businesses need to be ‘‘freed’’ further to ensure that everyone is earning their just desert. This further reflects a neoclassical economic understanding of individual rationality as best serviced by harnessing the self-interested economic rationality of both individuals and firms. Thus, reducing payroll taxes is viewed as a ‘‘win-win’’ in that it allows workers to earn more for more work and firms to keep more by not having to pay artificially higher wages. Additionally, reducing payroll taxes or increasing the EITC is seen as preferable to helping the working poor because it shifts the responsibility from local officials, where living wage ordinances are passed, to federal officials who determine federal withholding and the size of the EITC. By abrogating responsibility for aiding the working poor locally, the hegemonic position of such arguments is bolstered; in this case, opponents to living wage ordinances can claim that they support programs to help the working poor, just not at the local level. As an economist hired by the San Diego Chamber of Commerce explained to me: ‘‘I’m not opposed to increasing transfer payments to the working poor, but a wage floor policy is going to hurt the business and the worker. EITC increases or payroll tax reform would help both. It’s a win-win, but the living wage is a lose-lose.’’ What I find instructive here is that the preferred policy approach is one in which there is an increased amount of assistance to the working poor provided through a reduction in tax payments or a greater refund of taxes paid by increasing the EITC. In short, the policy goal is not just to increase the income of the working poor, but this is done by reducing their tax burden. This policy approach is rooted in a particular philosophical, indeed neoliberal, view of economic policy – that is, it is preferable to reduce taxes, not increase wages. In these two lines of official discourse from policymakers, staffers, and economists, the specific criticisms of living wage policies or ordinances are inextricably shaped and articulated through cultural terms. Metaphor and metonymy are prevalent throughout the language of these arguments. Furthermore, in the case of determining the relative effectiveness of living wages on aiding the working poor, a further set of ideological dispositions is at work: that is the ideas of promoting individual hard work through reducing tax burdens is favored over a wage floor increase. My goal here in examining the authoritative discourses of economic and policy arguments is to sketch out the embedded and implicit cultural assertions at work, and unpack the figures of speech and tropes used to further criticism of the living wage. In the next section I look more closely at ‘‘lay’’ opposition to living wages, focusing again on the cultural logic at work in each of the discourses.

#### 4. The living wage movement is an affront to traditional capitalism- serves as a backlash to the free market. Brooks ‘07

2007 The Living-Wage Movement: Potential Implications for the Working Poor Fred Brooks Georgia State University, fbrooks2@gsu.edu

The reason all of this living wage organizing deserves to be called a social movement is because of the rapid growth and remarkable success rate of independent living wage campaigns over the past dozen years. Since Baltimore passed the first modern living wage ordinance in 1994, over 200 other coalitions have formed in cities, counties, states, and college campuses to fight for living wage ordinances. Over 140 campaigns succeeded in passing living wage ordinances (Living Wage Resource Center, 2006). These campaigns are a direct challenge to the neoliberal political economy that has dominated policy-making over the past 30 years. Features of neoliberal policy include privatization, tax cutting, downsizing, deregulation, outsourcing, and a general outlook that markets are better than government intervention in solving social and economic problems. The primary economic development policies most cities and states use to attract industry is offering maximum tax breaks to companies and advertising low labor costs. In this context, 140 new living wage ordinances are quite a backlash to recent trends in the political economy. David Neumark, a policy fellow at the Public Policy Institute of California and a critic of living wage campaigns, stated, “I think what the living wage movement has done in the past 11 years is incredible. How many other issues are there where progressives have been this successful? I can’t think of one” (Gertner, 2006, p. 40).

#### On the impact,

#### 1. Cross-apply the Siebers evidence from above, it’s fantastic in explaining how capitalism depends on defining some bodies as “inferior” and “disabled” in order to allow them to exploit it – means ableism is the root cause.

#### 2. Ableism better explains the origins of capitalism- the need and desire for expanding production creates divisions based on productivity of workers. The least productive workers were rendered obsolete through technology and less effective workers were priced out of the system. Exploitation of workers was derived from the race to the bottom to drive up working hours and push down wages.

#### 3. Even if capitalism is the root cause, using ableism as a starting point better motivates and constructs movements. Breckinridge 01

Breckenridge, [New School for Social Research](http://en.wikipedia.org/wiki/New_School_for_Social_Research) History, Associate Professor and Vogler University of Chicago, Professor of Philosophy, (Carol A. Breckenridge and Candace Vogler, Fall 2001, Public Culture, Volume 13, Number 3, Duke University Press “The Critical Limits of Embodiment: Disability's Criticism,” pp. 354

What if we invert the conventional wisdom that sees the disabled body as an impediment to mobility (as in the figure of the cripple in Marx) and, hence, both to work and to the circulation of social and economic relations. The inversion would read, by way of example, something like this: Since both capitalist and socialist economies privilege the able body as the basis for the built environment, the able body could appear to interrupt the mobility of the disabled one. Spatially, curbs designed to separate the street from the sidewalk also separate the walker from the wheeled vehicles designed for transportation. The presumed city inhabitant is a walker and not a wheeler. Thus, when curbs interfere with the circulation of wheelers, it can be said that the able body disturbs the mobility of the disabled one.

#### 4. Movements centered around capitalism inevitable get co-opted by the state which has dealt with thousands of challenges – challenging our conception of disability is key to reconceptualize resource distribution and better embody social justice. Breckinrdige ’01,

Breckenridge, [New School for Social Research](http://en.wikipedia.org/wiki/New_School_for_Social_Research) History, Associate Professor and Vogler University of Chicago, Professor of Philosophy, (Carol A. Breckenridge and Candace Vogler, Fall 2001, Public Culture, Volume 13, Number 3, Duke University Press “The Critical Limits of Embodiment: Disability's Criticism,” pp. 356

Anxiety on the part of the able-bodied that their condition is both fortunate and temporary implicitly acknowledges that things can happen to make life much more difficult for them than it is at present—on even the worst, the most impossible, day. The anxiety and the significance of able-bodiedness register the centrality of economic circumstances to disability studies. In the United States, for example, few of us are ever more than a few paychecks away from material devastation. Developing an understanding of social justice informed by disability studies would require us to break frame with much current thought about the distribution of social goods and resources and with the traditional rationales given for various distributive schemes. Whether the “goods” to be “distributed” were educational, nutritional, material, social, or political, we would no longer be able to see the end of social justice as the production of a body politic, each member of which brought a roughly equal share of cognitive, affective, and physical “ability” to the business of the daily reproduction of individual and social life.

#### On the alt,

#### 1. Only the permutation can solve. Siebers 09,

Siebers, University of Michigan, Professor of Literary and Cultural Criticism, Tobin, “The Aesthetics of Human Disqualification”, Oct 28, 2009, Lecture, Google Books.

The appearance of lesser mental and physical abilities disqualifies people as inferior and justifies their oppression. It is now possible to recognize disability as a trope used to posit the inferiority of certain minority populations, but it remains extremely difficult to understand that mental and physical markers of inferiority are also tropes placed in the service of disability oppression. Before disability can be used as a disqualifier, disability, too, has to be disqualified. Beneath the troping of blackness as inbuilt inferiority, for example, lies the troping of disability as inferior. Beneath the troping of femininity as biological deficiency lies the troping of disability as deficiency. The mental and physical properties of bodies become the natural symbols of inferiority via a process of disqualification that seems biological, not cultural—which is why disability discrimination seems to be a medical rather than a social problem. If we consider how difficult it is at this moment to disqualify people as inferior on the basis of their racial, sexual, gender, or class characteristics, we may come to recognize the ground that we must cover in the future before we experience the same difficulty disqualifying people as inferior on the basis of disability. We might also recognize the work that disability performs at present in situations where race, sexuality, gender, and class are used to disqualify people as physically or mentally inferior.

### AT Race

#### Disability studies are intrinsic to understanding feminism, sexuality, gender and critical race studies. Breckinridge 01

Breckenridge, [New School for Social Research](http://en.wikipedia.org/wiki/New_School_for_Social_Research) History, Associate Professor and Vogler University of Chicago, Professor of Philosophy, (Carol A. Breckenridge and Candace Vogler, Fall 2001, Public Culture, Volume 13, Number 3, Duke University Press “The Critical Limits of Embodiment: Disability's Criticism,” pp. 350-351

Innovative intellectual formations in the academy—including feminist, postcolonial, sexuality, gender, queer, and critical race studies—have brought energy to work on the body. They have taught us to think the body as a site of excess and surplus, to theorize the extreme body, the mutilated body, the body in pleasure and pain (as James Porter and others have pointed out).1 They counter the medical focus on alterity as a matter of having too little or too much of a body. Different kinds of inter- and cross-disciplinary work on the marked body, moreover, have contributed significantly to each other. Critical race theorists, for example, have pointed to the whiteness of feminism. The ensuing debates have led to work that seeks to demonstrate the constitutive relation between race and gender. These two realms—once considered separate—now refract and image each other. But disability studies reminds us that feminism, sexuality and gender studies, and critical race theory meet at a point of incomprehension when faced with the corporeality of the disabled body.

#### Race arguments ignore intertwined history of “disability” and anti-racism. Longmore 09

Longmore, professor of history and director of the Institute on Disability, (Paul K.,“Making Disability and Essential Part of American History,” Organization of American Historians Magazine of History, Volume: 23, Issue 3, 2009, p. 16

One could go on citing example after example of the impact of “disability” on U.S. society since World War II. Yet despite its importance in America's recent past, the major general overviews of that entire epoch and the important synthetic studies of its particular sub-eras either give disability scant attention or ignore it altogether. These histories recount the civil rights movements to combat racism, anti-Semitism, sexism, and homophobia, but they generally leave out disability prejudice and discrimination and the disability rights movement. When people with disabilities do appear in these accounts they are frequently objects of charity but very rarely civil rights activists (16).The point is that in recent American history, as in all previous eras, disability-related experiences and issues, controversies and campaigns appeared in virtually every social institution and sphere: in lawmaking and policy administration, in professional and institutional practices, and in Americans' understanding about some of their most basic values, values regarding equality and fitness for citizenship, autonomy and appearance, gender and sexuality, progress and the “health” of society. It is time for teachers of American history at all levels to incorporate this significant subject and useful tool in order to deepen our analyses as well as enriching our students' understanding of the American experience.

### AT Biopower

#### Disability culture creates resistance to biopower. Mitchell and Synder 10

Mitchell & Snyder, Temple University, David and Sharon, “Disability as Multitude: Re-working Non-Productive Labor Power,” Journal of Literary & Cultural Disability Studies Volume 4, Number 2, 2010, Project Muse, Date Accessed: 6/30

Marketing Imperfect Identities Nearly all of capitalism now finds itself pitched toward imperfection as the standard with product supplementation as the solution—diuretics, impotency, indigestion, mobility aids, depression, manias, hearing loss, vision correction, chronic fatigue, etc. The body has become a multi-sectional market; whereas Fordist capitalism cultivated divided worker populations by hierarchicalizing the assembly line; postmodern capital divides us within our own bodies. We are now perpetual members of an audience encouraged to experience our bodies [End Page 190] in pieces—as fractured terrains where the "bad" parts of ourselves are multiple. Whereas disabled people were trained to recognize their disabled parts as definitely inferior, late capitalism trains everyone to separate their good from bad—a form of alienation that feeds the market's penchant for "treating" our parts separately. The body becomes a terrain of definable localities, each colonized by its particular pathologies dictated by the medicalized marketplace. This late capitalist litany of bodily frailties, imperfections, and incapacities gluts advertising networks as the hegemonic product pitch strategy of today. Within this environment disability rapidly becomes synonymous with a humanity that we are all seeking to overcome. The imperfect is our standard. The rise to legitimacy of "comfort industries" results as the twentieth century closes. We are all subject to disciplinary regimens of the therapies that have now transcended their subordinate position within health science and medicine to become our cultural training gurus. Even more than Medicine, the Therapies have now gone "cultural" and encourage our mass dedication not to perfection but to the infinite pursuit of "improvement." Once relatively isolated disability rehabilitation regimens are now applicable to all citizens, just as all citizens grow increasingly responsible for policing their own well being. Therapy is the market, and the degree to which one resists therapy is the degree to which one resists greasing the market. Refusal of our bodies as perpetual objects of professional labors provides a model of resistance wherein the ways our bodies function does not lead us to fall prey to regimes of standardization. We now find ourselves encouraged not to conform to a general norm but rather condition-based norms that others who presumably share our disability group establish. This is really nothing but a move from a medical model based on an elusive average body to a therapy-based norm of an elusive average disabled body. Today late capitalism thrives on the production of "new spaces" for exploitation—the promotion of the exotic as a strategy of consumption rather than the promise of the homogeneous amid locales of difference. The body itself has become an outpost for this strategy. An "intensive interior" is now cannibalized as new "erogenous zones" of intervention. To combat this tendency, disability culture rises as a counter-valuing mechanism; one that cannot afford to mistake its own artificial productions as more "natural," but rather, following Hardt and Negri, as a self-acknowledged product that seizes the biopolitical terrain as revisable. "Non-productive bodies" work a revolution within the conception of worker subjectivity. The non-productive body is not simply a body incapable of working within the narrow standardization efforts of capitalism, but rather, as Hardt and Negri explain, it represents "the way some deviants perform differently and break the norms" in doing so (Multitude, 200). These differences [End Page 191] may result in a rigid exclusion from dominant economic networks but they continue to produce and, in turn, be produced: thus, postmodernism may be generally described as a culture of manufactured sentience: one that wires the life of feeling and flesh directly into the circuitry of prosthetic supplementation (i.e. prosthetics from sip 'n puff systems to Xbox cyber realities).

### AT Reduces Employment

#### 1. Companies receive subsidies for employing disabled people, normal means of passing the aff would be to increase subsidies which means no unemployment affect.

#### 2. Employers are prohibited from discriminating based on disabilities, means squo laws and fiat solves – and, not an issue in low skill labor, which is the majority of minimum wage work.

#### 3. The logic of “it’s good for their good” justifies discrimination and treating their labor as less valuable – deconstructing the ideology of ableism far outweighs any marginal reduction in employment.

#### 4. Hiring disabled individuals is an economic good – consumers with disabilities and those ethically attuned are more likely to frequent stores that higher disabled individuals. Also non-uniques their claim, they wouldn’t be hired anyway in the status quo if this effect existed.